

**UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF SETTLEMENT**

PLEASE TAKE NOTICE that Lead Plaintiffs Errol Rudman and Rudman Partners L.P. (“Lead Plaintiffs”), individually and on behalf of all others similarly situated, by and through their attorneys Kirby McInerney LLP, will and hereby do move this Court on a date and at such time as may be designated by the Honorable Lewis A. Kaplan, Courtroom 21B, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007-1312, for an order, *inter alia*: (1) granting Preliminary Approval of the Proposed Settlement (the “Settlement”); (ii) granting conditional certification of the Settlement Class; (iii) granting approval of the form and manner of Notice of the Proposed Settlement to the Settlement Class; and (iv) setting a date for a Settlement Hearing and deadlines for the mailing and publication of the Notice, the filing of Settlement Class Member objections, the filing of Settlement Class Member opt-out notices, the filing of Lead Plaintiffs’ motion for final approval of the Settlement, and the filing of Lead Counsel’s application for attorneys’ fees and expenses.

In addition to all prior pleadings and proceedings had herein, Lead Plaintiffs also submit the following documents in support of Lead Plaintiffs’ motion: (1) Memorandum of Law in Support of Unopposed Motion for Preliminary Approval of Settlement; (2) Declaration of Ira M. Press and exhibits attached thereto, including the Stipulation of Settlement dated May 15, 2017 with exhibits attached thereto (annexed as Exhibit 1) (the “Stipulation”); and (3) a [Proposed] Preliminary Approval Order (“Proposed Order”). The Proposed Order is attached as Exhibit A to the Stipulation and is concurrently being submitted to the Court herewith.

Dated: May 24, 2017

Respectfully submitted,

KIRBY McINERNEY LLP

By: /s/ Ira M. Press

Ira M. Press  
825 Third Avenue, 16<sup>th</sup> Floor  
New York, New York 10022  
Telephone: (212) 371-6600  
Facsimile: (212) 751-2540

*Counsel for Lead Plaintiffs Errol Rudman  
and Rudman Partners LP and Lead Counsel  
for the Class*